G R S. IX-5]

Previous references.

(1928. Mendz)

File No. 351-18

Serial Nos. 1-11

Later references.

Mendz 154-23-142

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 — 11

Part B for August '22

SUBJECT

Theft of jewels and valuables belonging to the Sri Rameswara Devaru Temple at Deva Urida in the Mendgere Taluk.

8.11.22 The D.C. Kadur

No. 1015 Dt 28-8-22.

Directs that the attachment of the appellants property should be raised & the value of the jewels should be recovered from the servants of the Devaru according to the extent of their liability.

No. C. & Dt. 28-8-22

Informs the above to the Appellant.

Printed on the Multigraph.

GMW

G.R.S. 11] 191 8.

GENERAL AND REVENUE SECRETARIAT.

(Judicial)

NOTES.

File No. 351-18

FILE HEADING.

Theft of jewels & valuables belonging to the Sri Rameswaradevaru temple at Devarumudi in the Tanjore Dt.

From The Deputy Commr, Madura Dt.

No. C.C 1189/18-19 Dated 18-12-18 Received 21-12-18

Diary No. 1638 | Enclos. — Spare Copies. — | Serial No. 1

BRIEF ABSTRACT OF LETTER.

Reports that jewels and valuables of the value of Rs 1500/- belonging to the Sri Rameswara devaru temple at Devarumudi in the Tanjore Taluk were stolen on the night of the 30th Oct 18 and that necessary action has been taken to book the culprits and for the recovery of the stolen jewels.

NOTES AND ORDERS.

1 Member's orders on abstract of letter dated 19.12.18

"This is very belated Put up papers early" "Jd P.R.R. 20.12.18"

2 Draft submd for approval of the orders

Sd 21/12/1884 3 Put up GO 354-63 & 27/6/92

21.12.18

NOTES—First Sheet.

GPB—35,000—15 6 19

Sd. 21/12/18

G. R. S. 111-2]

General and Revenue Secretariat. | Army File No. 351 of 1918.

Serial No.	
	A copy of the G.O is sent up as desired GB. 21/12/18 21/12/18 Draft recalling and calling for a further report is submitted for approval. HS. 21/12/18. Second Member.
2531-181 21-12-18	Draft approved RHH 24.12.18
2.	HS 24/12 No 1989-90 Dy 25.1.19. To D.C. of Kadur and Coupon to post. Records the letter of the D.C. and calls for a report.
3	

NOTE—Contn. sheet.

WD A 1769—GPB—60,000—20 3 19—D

G. R. S. III-2

General and Revenue Secretariat. | Temp. File No. of 191

Serial No.

The Dy Comm reports that as no up to date list of articles of jewellery &c was maintained in the temple, it is not possible to give a correct list of articles stolen from the temple on the night of the 30th October 1918, that the value of jewels stolen as per list furnished by the present pujari Ramabhatta is about Rs 400/-, that the present pujari is said to be not a man of good character, that the police investigation of the case has been superficial, and that on the whole the case was not properly checked by the local authorities in the beginning that pujari Rama bhatta should be removed from service and that necessary action should be taken for the recovery of the amount lost from him, and that orders should be issued to secure the more careful guard of the temple in the Talukkacheri

NOTE—Contn sheet.

G. R. S. III-2)

General and Revenue Secretariat. | Army File No. 351 of 1918.

Serial No.

U

U

V (a, b)

(a) (b)

(c)

No additional information is available from the records sent with the Dy Comm's letter except what is given in the final report of the Amildar in his Communication dated 12.12.1919 (Vide Flag U)

In his report the Amildar says that soon after intimation was received from the Patel of the village and the Vimatdars of the temple about the occurrence of a theft in the Rameswara temple at Devarinja the matter was placed in the hands of the police for investigation and that he went to the place and (the ~~police authorities~~) ascertained the statements of the Vairvatdars, the Pujari, the Patel of the village and one of the Dharmadarsis of the institution and (that it was ascertained that) according to the statement of the Pujari he was in sole charge of the lost articles (which are valued at about Rs 400/-), that he was doing the duties of the Pujaras for the last 2 yrs

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | Revenue File No. 351 of 1916.

Serial No.

~~and~~ that he was not in possession of any exhaustive list of Jewels of the temple, that the ~~a~~ theft might probably have been committed by one Thapula Vendan to the place from the Canara D^t, and that he was not sleeping in the temple on the night of the theft. He further reports that from personal enquiry he learnt that the value of the lost Jewels was about Rs 4000/-, that ~~the people of the~~ certain petitions were received stating that the pujari was himself ~~was~~ the culprit and that he was not a man of good character, that all the temple authorities live at a great distance from the temple ~~and~~ that ~~it has~~ the temple is not a safe building for keeping the temple Jewels and that though the police have investigated the case ~~sufficiently long~~ for over a year, they have not been able to trace either the lost property or the culprit

NOTE—Contn sheet

G. R. S. III-2)

General and Revenue Secretariat.

Memo File No. 351 of 1918.

Serial No.

that he has ordered the recovery of the value of the lost property from the persons and the Vairavalar (as desired) land that he has now made suitable arrangements for the safe custody of the remaining properties of the temple

to Subd for orders

C.C. 26.2.20 The Commr may be requested

BG 27/2/20 with accordingly action, inquired to be taken by the D.C. ~~issuing~~ ~~Approached~~ -

AHT. 27.2

to secy)

The C.C. Commr may also be requested to report the result of the action taken for the recovery of the money from the Pujari Trust Tk/ 28/2/20

AHT 28/2/20

3 Dft Subd for appl as desired

C.C. 4/3/20 BG 4/3/20

NOTE—Contn sheet.

G. R. S. III-2)

General and Revenue Secretariat.

Rev 3 File No. 35 of 1918.

Serial No. 14

Revd & draft submd for appl as above

CG 6/3/20 6/3/20

For revised draft

Revised draft rcvd

10/3/20

(Secd Member) WJ 15/3/20

5945-329
15-8-1920

since an observation on the conduct of the Police is embodied in the concluding para of the Govt. G.O. this file may be submitted to the Hon Member Rev. for his remarks if any.

Rece 16 3 20.

(Third Member) WJ 16/3/20

5019
17.3.20

I agree Hon draft.

for Kind perusal before

6068-171.
19.3.20.

(Second Member) WJ 19/3/20

Secn Rece 20 3 20

Note—Contn sheet

WJ 20/3/20

3

G. R. S. III-2]

General and Revenue Secretariat.

File No. 351 of 1918.

Serial No.

4. To. D.C. Kadur & Comptr.

No. 3174-5 Dt. 25.3.20.

Approves of the action proposed to be taken by the D.C. & regrets delay & Govt. disregards the delay made & the value of the stolen articles.

5 From Brahma Rama Bhatta,

Petition Dt. 1.7.20.

Appeals against the Dy. Commr's. order directing the recovery of the value of the stolen articles and prays for an ad-interim stay under directing stay of execution of further proceedings pending disposal of the appeal.

If the petition is duly stamped notice issued from the subordinate under order of the sub Divl. Officer directing the petitioner to make deposit, and directing him to pay the value, are forwarded. An inventory of the movables attached towards the recognizance of Rs. 500 is also forwarded.

25. The seal of the Court issued at sufficient length in the previous page of the

Submitted

NB

DW 31/7/20

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. | of 19

Serial No.

This is a petition praying for re-consideration of the Order of Govt. passed in Pro No 3174-5 dated 28-7-18-S 9.3.20 Post Orders.

Secy) 5-8-20

Called upon to report under what provision of law he effected the attachment which appears to be opposed to the instructions conveyed in Chief Commrs proceedings no 682-66 dated 28 May 1879 printed at page 121, Mus Manual.

26 Put up a draft

13/8/20

Secy)

14/8/20

Secy)

14/8/20

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

In File No. 351 of 1918.

Serial No.	
6	3, Dy. Commr. Kadur Dt. No. 661 dt. 15.8.20. [illegible] for report as to [illegible] under what, if any, provision of law the [illegible] were effected.
7	Deputy Commr. Kadur has Report of Rameswara Deva Temple at Devavranda, Mudigere Taluk. Divraj his incumbency, Jewels valued at Rs 1500 were Stolen. The Dy Commr proceed to remove Peh. Deputy his appointment, of which he was duly temporarily in charge and to recover from him the Value of the Stolen Articles. This was approved in G. Order dated 25 March 1920. Thereupon Peh-Complainant that his properties — moveable and immoveable — had been attached by the Dy Commr and prayed for their release. On 19 August 1920 the Dy Commr was asked to report whether the attachment Complained

NOTE—Contn. sheet.

Serial No.

was time as it seemed to be opposed to the Chief Commr's proceedings dated 28 May 1879 printed at page 121, Mr. Menzies and enquiring under what authority the attachment was effected + the Chief Commr was of opinion that private property could be proceeded against only through Civil Courts. But no reply has been received from the Dy Commr.

In the meanwhile, Seth Complains that the sale of his properties has been advertised to take place on the 20th inst and prays for a Stay order.

4 The Sale may be ordered to be Stayed pending the final orders of Govt on the Petrs application.

Second Member 17/9/80

1834-54
18.9.80

A. a/p/c
to SO

P.C.
10.9.80

Issue orders
accordingly
17/9/80

NV 20/9/80

NOTE—Contn. sheet

G. R. S. III-2]

General and Revenue Secretariat.

Press File No. 351 of 1918

Serial No.	
	26685. Submitted 29/9/20 29/9/20 Asst 29/9/20 Essay) 27 Issue above 2.9.20
8.	To Dy. Comm. Cachar vide No. 1149 G. 29.9.20 to the petn. Calls for records of the case & in the connection directs the stay of the sale of the lands pending disposal
9.	To Asstt. Cachar Dated Shillong No. 1153 - G. 29.9.20. Informs of the above.
10	[illegible]

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. of 19

Serial No.

Printed at page 121 of the Law Manual

W

[illegible]

36) The Sub Divisional Officer also reports that the appellant belongs to South Canara, and that there is no chance of recovering the [illegible] Sd/- 10/11/20

39 For orders
AMT
23-11-20.

Yours)

40 Ardik? Who is the judgment debtor? Was Rama Bhatta appointed as his [illegible]
[illegible] 24.11.20

AMT
24-11-20

On his [illegible] Dy 18-1 1919, Rama Bhatta state that he [illegible] The Pujarike from Krishna [illegible]

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

File No. 351 of 19 18

Serial No. 3

who went on 2 months leave, and that he has been doing puja duties for the past 9 years, in support of which he has no data.

Submitted

25-11-20 25/11/20

AUL 1-12-20

42

Dept.)

Put up the Record regarding in all the Cases in which the principle that it is a recognised Condition of Temple Service that Temple Servants should make good the Value of the articles stolen from the institution which they might have Committed the theft has been followed and state

(1) whether in any of these Cases the Mining Dept has attached and sold the properties of Temple Servants

(2) whether the Chief Commissioner that Recourse should be had to Civil Courts has been discussed vide J. 2/12/20

AUL 2-12-20

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

File No. 357 of 1916

Serial No. 464

Mur file 11 of 1893-4 regarding the theft of jewels in the Melkote temple and recovery of their cost from the temple servants, and Mur file 206 of 1901-02 re loss of jewels of the Thirumala Sri Ranganatha swami temple are subs. for approval. The action taken in these two files for the recovery of the cost of the lost jewels, & other shares that it has been recognised principle to recover the cost of the jewels stolen from the temple servants in ale manners possible either in the shape of money or by the sale of their properties & sale proceeds of their produce of their inam lands &c.

(2) No rules regarding recourse to be had to Civil courts can be traced.

Dy 46 In the case now under 18/1/24 consideration, the Dy Com^r has asked for definite instns whether the attachment of the properties of the man responsible has to be raised & continued under distraint. As the Man is a native of South Canara, the value of the lost property will not be forthcoming except for

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

File No. 351 of 19 18

Serial No.

properties mentioned under attachment

RG
18.1.21

4) I do not see that in getting up the files put up, the properties of the temple servants were attached or sold in part. If there are any such cases, please put them up.

AV 11/2/21

VF 11/2

RG
14.2.21

Sorry So far as I remember, there have been no cases in which the properties of Temple servants have been proceeded against under Rev Law for recovery of the value of the ~~properties~~ Temple properties for which they have been held responsible. If the servants fail to pay, they forfeit to their rights to hold the office.

Subs

Murasu I no 26-92 regarding the theft in Bameiyan the temples put up. ~~[illegible]~~ This is the first order issued after the formation of the Murasi Deptt in 1894. There are no instances to show that private ~~[illegible]~~ properties of Temple Servants were attached or sold by Govt to recoup the loss value of temple jewels

RG 14/2/21

NOTE—Contn. sheet.

Policy)

AVM
15-2-21

R. S. III-2]

General and Revenue Secretariat.

Serial No.

File No. 357 of 1918

50 I wish to know whether it is time to proceed against Krishna Bhatta. Please see the records and note whether we are ready for the appointment of Rama Bhatta on his responsibility. Where are the letters re the appointment of Rama Bhatta. To what place does Krishna Bhatta belong?

U/4/3/19

51 Rama Bhatta has stated in his deposition dy 18/19, that Krishna Bhatta, formerly Archak, went on 2 months' leave appointing him as Archak, and submitted a report to this effect. The report and the connected papers relating to the appointment of Rama Bhatta have not been received with the records.

52 It is stated that Krishna Bhatta ~~belongs~~ came from Tokkade village of Uppinangadi Taluk, S. Canara District.

Submitted
4.3.19 4/3/19

NOTE—Contn sheet

G. R. S. III-2]

General and Revenue Secretariat.

File No. 357 of 19 W.

Serial No.

(1) The responsibility of making good the value of Temple property lost by theft rests with the permanent Archak & the latter cannot shift it on one who was ~~in charge~~ when he appointed when from any cause -

might have

(2) The Order laid down in Pro No 610 - dy 27-11-95 Mm 7-11-93 are clear as to the course to be adopted in case the Archak fails or refuses to make good the loss - & that is to dismiss the Archak & forfeit the property of Archak.

HY

AMK 8/3/24

Eddy) (3) Would the principle

NOTE—Contn. sheet.

R. S. III-2]

General and Revenue Secretariat.

File No. 351 of 1918.

Serial No.

Could [illegible] Khatta Gul applied for the appointment of Rama Khatta for a period of two months only and if within this ~~period~~ enquiries ~~have~~ again ~~matter~~ the latter had been kept on for a further period and the short-hand taken place during the latter's incumbency? NJ 10/3/19

5b The responsibility is not a criminal one. ~~of the kind~~ ~~hand~~ It is a moral one based on the understanding that the Archak should take sufficient care of the property entrusted to his sole charge & make good the loss however occurring.

5a So long as Rama Khatta was the nominee of ~~Kasthatta~~ Krishna Chatta the permanent Archak, the latter can not divest himself ~~of the~~ ~~Khatta~~ Khatta ~~has~~ ~~Egypt~~ ~~that~~ by leaving the property into the hands.

of his nominee ~~the Lafoy Thatta~~ ~~was responsible~~

NOTE—Contn. sheet

G. R. S. III-2]

General and Revenue Secretariat.

File No. 357 of 1918.

Serial No.

Of Rama Bhatta's charge of the Office the Jewels, was entrusted by Krishna Bhatta who held for a period of 2 months, at which the latter duly to have terminated at an due time by under on his duties himself & ~~retains~~ back the properties left on the ~~Krishna~~ Rama Bhatta

In a case like this, the Inspector is desperate the responsibility as left to Rama Bhatta & Krishna Bhatta - Or is sent to Tenure - And ~~was~~ if either of these Cases to get back to the Archaka's he Ch.d. make good the value of the properties lost - The primary responsibility - as in the permanent Archaka he will take the preference of paying up & retaining the Archaka's salary.)

NOTE—Contn. sheet.

General and Revenue Secretariat.

Mug File No. 357 of 1916

Serial No.

W/60 Please bring this in person
RJ 7/4/21

61 The late Sir P. N. Krishna Iyer made the following observations in his Memorandum note dated 16-3-1906 (Mug file 520/1897):—

"In this connection I beg to state that notwithstanding the ruling given by the Chief Commr in 1873, Stamp Reserves appear to have been adopted in subsequent years in cases of the kind now under notice."

62 What are the cases referred to here?
RJ 15/4/21

RV 18/4/21

63 The undermentioned files noted under are submitted for kind perusal

172 of 1892-3
214 " 1901-02
167 " 1902-03
193 " " "
192 " " "
197 " 1903-04
282 " 1904-05
~~190 " 1907-08~~

K
20.4.21

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

File No. 357 of 1926

Serial No. 64

Submit for orders- no parallel cases are available in the Branch.

Submitted
RV
2-5-27

2/5/27

The attachment by summary process of appellant's property is illegal and is opposed to the instructions conveyed by the Chief Commissioner in his proceedings dated 28 May 1879, (vide page 121, Any demand in suit therefore be raised.

65 We do not see asked to select for the post a local man and not a person like the appellant who belongs to the Canara Dt.

67 There is not likely to be much use in filing a suit against appellant for the recovery of the value of the stolen property. We do not see how to get it, if possible, from the person whom we may appoint for the post, for applications come forward to take up such appointments on the condition

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Mer File No. 351 of 1918.

Serial No

of making good the loss caused by him during the last offender's tenure of office.
Second Member) - WJ 3/5/24

5-779-42
3-5-024

98 The action proposed may be taken. I doubt much if the responsibility is only a moral one as points in the above notes. If an archak entrusted with certain valuable property belonging to a temple loses it - it may be a case of ordinary theft - it seems to me that the responsibility is on him because from the loss is more than moral. What is there to prevent a temporary or even a permanent archak permanently away with valuable temple property in his custody, forfeit his bail, & then on the proceeds of his ill-gotten [illegible] It might be said that such a thing is unlikely happen. But such argument as that sentiment is often used for [illegible] a criminal intent. It may - so in particular it is hard to differentiate. Any inclined to [illegible]

NOTE—Contn. sheet

R. S. III-2]

General and Revenue Secretariat.

File No. 357 – of 1918.

Serial No.

properties the temple servants have been in these Cases ordered to make ~~good~~ good the cost of such lost properties. But no case like the present one can be traced.

May the Govt. advocate be consulted. (Vide 2nd Members minute of 4.5.21).

14/3/22

The delay is very unsatisfactory

W.O. No. 6 / 15.3.22

forwarded unofficially with compliments to the Government Advocate for favour of opinion

By order

15.3.22

for Chief Secy

By Mem Dept

No. 109/24-22 / 4/4/22

This file relates to a matter in which I have myself filed an appeal on behalf of the Appellant Ramabhatta. I do not think it fair, therefore, to express my opinion.

I am however sending herewith

5.10 pm 7/4/22

NOTE—Contn. sheet.

R. S. III-2]

General and Revenue Secretariat.

File No. of 19

Serial No.

herewith a memo embodying what appears to me to be the correct legal position. Government may however be pleased to remember that I am interested in the appellant in the sense that I filed the appeal myself.

W. Meredith
Govt advocate
1/4/22.

NOTE—Contn. sheet.

Serial No.

Ramabhatta who is the Appellant before the Government does not appear to be the permanent - Archak and was only a nominee of Krishnabhatta and was in possession of the jewels Etc., in question as such nominee.

His responsibility in respect of the - articles is that of a bailee, under the Indian - Contract Act. Section 151 of that Act defines the amount of care that he is expected to take and - Section 152 distinctly lays down that the bailee is not responsible for the loss or distruction of the properties bailed if he proves that he has taken - the amount of care required by Section 151. The burden of proving that that amount of care was - taken in this case lies on the appellant. This is a pure question of fact and the success or failure of the appellant will depend entirely upon the - nature of the evidence he is abbe to adduce.

The case for the appellant is that the - articles were lost by theft. If he can adduce - evidence in support of this plea and if he can also further establish that he had taken such care of - them as a man of ordinary prudence is expected to take of his own goods, he is entitled to succeed, and as I have already stated this is a pure question of fact.

Assuming that Government has a good case and that the plea of the appellant is groundless the next and more important question for consideration

Serial No.

is what is the correct and legal procedure to be - adopted to recover the value of the goods.

In my opinion the only legal course open is to file a suit. The summary procedure adopted is clearly illegal. Such action by way of attachment Etc., can only be taken under the express provisions of any law and so far as I am aware there is no - provisions which sanctions such a course. Section 193 of the Land Revenue Code authorises such action in certain cases only, but the present case does not appear to come under any of the several classes of instances referred to in that Section.

The action of the Deputy Commissioner does not therefore appear to be legal and justifiable.

Government Advocate.

NOTE---Contn. sheet.

R. S. III-21

General and Revenue Secretariat. | File No. | 1 of 19

Serial No.

Flag A

Kind reference is invited to the Amildar's detailed report of 12-12-1919. The only ground for suspecting the bona fides of the Archak are two anonymous petitions and ~~a statement~~ the opinion of the Amildar that the Archak had not a good reputation

His report shows also that the temple was in bad repair, and that it was not at all a safe place. His want of safety will doubtless be urged by the Archak in his defence.

All things Considered, it does not appear that any useful purpose would be served by filing a Civil Suit

As regards responsibility of temple servants generally, the effect of the standing orders would appear to be that their responsibility extend to all the servants jointly severally & that it can be enforced by recovery from the properties of the offr & that recompense of the loss is a condition precedent to further Continuance

NOTE—Contn. sheet.

R. S. 111-2]

General and Revenue Secretariat. | File No. of 19

Serial No.

But there does not appear to be any warrant for the adoption of summary process against the temple servants' private property, to enforce the responsibility. If this is to be done, definite mutchalkas to this effect should be obtained from each servant on appointment, agreeing that ~~losses due to~~ moneys due to Govt on account of such losses shall be recovered from him as if they were arrears of land revenue.

Even if there is a mutchalika, it would not be covered by Sec 193 2 Rc. if the money is due to a Mag: Instr & not

1 Bmember

Bm
28/6

211-211
7.7.22

If the view of the P. A. that a Subordinate Judge is only a bailee in such cases & that his liability & loss incurred during possession by him is governed by the terms of the Ind. Cont. Act then it raises a very serious issue in the case of these temple servants. One may address securing the safety of temple

NOTE—Contn. sheet

K. & III.2)

General and Revenue

Serial No.

to the contrary. But it has long been recognized in Hindu law from before 1865 — that the liability of temple officials to make good the loss of temple property is one of the well-recognized consequences of temple service. In the orders passed in 1865 & 1866 (pages 119 & 120 of the MSJ record) this is referred to as "the long existing usage" in the Madurai temple. Hope was committed by outsiders unconnected with the temple and they were also convicted for it. Thus the temple servants were made liable for the value of the stolen articles.

Therefore a person who does duty as an Adhikari — whether permanently or temporarily — is liable to make good the value of the stolen articles and their responsibility is greater than that of a trustee.

In the present—

NOTE—Contn. sheet.

2994.

G. R. S. III-2]

General and Revenue Secretariat.

Mlw File No. 357 of 1918. 29

Serial No.

A

All the temple servants should be called upon to make good the value thereof to the extent of their liability and the services of those who decline to do so should be dispensed with. At the same time, the attachment of appellant's properties should be raised.

I do not think that any undue benefit will be derived by obtaining a Mutchulka from the temple servants at the time of their employment.

First Member 12/5/22

1326-266
10.8.22

A. appeared. In his action according

Rao 11.8.22 11/12/8/22

1587-22

Put up after undersigned and Shaw return to office Chennai 12/12/8/22

NOTE—Contn sheet

R. S. III-2]

General and Revenue Secretariat.

File No. 351 of 19 18-19

Serial No.	
1608-123 19.8.22	22 17.8.22 Head Assistant Dealing Assistant Section Officer Under Secretary Deputy Secretary Secretary Minister UJ 17/8/22 Put 21-8-22 Issue UJ 21/8/22
11.	To. The Dy Coll Kadur No. 1015 d 28-8-22. Directed that the attachment of the appellants property should be raised and the value of the jewels should be recovered from the servants of the temple according to the extent of their liability No. 1014 d 28-8-22.

NOTE--Contn. sheet.

MUZRAI
1913

W.D. 0244–G.

18030

1918–

(Secy)

From The Deputy-Commissioner
Kadur District.

To The Joint Secretary to the Govt of Mysore. Muzrai Department
Bangalore

Dated 18th December 1918

Despatched 18th December 1918

Received

General No. Oc. 1. 87

No.

Enclosure No.

Reports that jewels and valuables to the extent of about Rs 1500/- belonging to the temple of Sri Rameswara Devaru, a Muzrai Institution, at Devarumda in the Mudigere taluk, were stolen in the night of the 30th ultimo last

Member orders on Abstract of Appeal – 19.12.18.

"This is very belated. Put up papers early"

20/12/18.

1038
US 9
Mesrs
3 5 19

Office of the Deputy Commissioner,

Kadur District.

Dated Chikmagalur, 16th December 1937.

From

C.Devaraj Urs, Esq.,
Offg. Deputy Commissioner,

Kadur District

To

G.Aravamudiengar, Esq., B.A., B.L.,
Joint Secretary to the Government of Mysore,

Muzrai Department,

Bangalore.

Sir,

I have the honour to state that the Amildar of the Mudigere taluk has reported that the jewels and valuables to the extent of about Rs.1500/- belonging to the temple of Sri Rameswara Devaru a Muzrai Institution, at Devavrunda in the Mudigere taluk were stolen on the night of the 30th October last. The Amildar further reports that necessary action has been taken to book the culprits and for the recovery of the stolen jewels.

2. The list of jewels lost will be submitted as soon as it is received from the Amildar to whom strict orders have been issued.

I have the honour to be,

Sir,

Your most obedient servant,

Treasury Assistant Commissioner,

For Offg.Deputy Commissioner,

Kadur District.

(Absent from station).

27/12

G.R.S. VI-71]

SUBJECT Theft of Jewels &c belonging to the Sri Rameswara devarw temple at Devarunda in the Tumkur Dist

Diary No. of letter replied to 1038

Section Jury

File No. 3 S/-18

Serial No. 1

General and Revenue Secretariat

(VII)

Proceedings of the Government of His Highness the Maharaja of Mysore

, the 191

Date of issue 25/1/1919.

Signed by ...

Read.— Letter No C 1189 of 18-19 dated the 18th Dec 1918 from the Deputy Commissioner, Kadur Dt, reporting that Jewels and Other Valuables of the value of about Rs 1500/- belonging to the Sri Rameswara devarw Temple at Devarunda in the Tumkur Dist were stolen on the night of

Order Thereon.— No.

this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette English part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette Kannada part ?

over.

30th October 1918 and
that necessary action
has been taken to
book the culprits and
for the recovery of the
stolen jewels

Order No 1989-90/Admn 351-18-2 dated
Recorded with the 25-1-19.
observation that the
report is very belated. An immediate report should
have been submitted in
the matter as directed
in Govt order No 354
§ 27. 6. 1892.

2. A further report
will be submitted very early
~~to the matter~~ regarding
the steps taken in the
~~pursuit of the~~ of the case
investigation ~~should~~
~~be submitted for~~
~~the information of~~
~~Government in due~~
~~Course~~ together with a list of the jewels stolen

List of enclosures.

Nil
24.12.18

Dy Secy to Govt,
Judl Secy Dept
21/1/19

Copied by

Examined by

To
The Dy Commr, Kodagu &c
The Comptroller to Govt
C.C. 21/12/18

...ORY No. 1602
19 20
Rev
500-19
351
E-I
3

From

The Deputy Commissioner,

Kadur District.

22113

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
.....Mujrai. *Department*,
BANGALORE.

Dated

Despatched 19th February 1920

Received

General No. O.C 1189 of 1918 19

No.

Enclosure No. 1 Ver file

SUBJECT

Theft of jewels belonging to Sri Rameswara Dwaru temple at Devavrida in the Mudigere Taluk.

Office of the Deputy Commissioner
Kadur District.

Chikmagalur, Dated 19th February 1920,

From

K. Mylar Rao, Esquire, B.A., B.L.,
Offg. Deputy Commissioner,
Kadur District.

To

T. Jayarama Iyer, Esquire, B.A., B.L.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Muzrai *Department*,
BANGALORE.

Sir,

Adverting to Government Order No. 1939-30/Muz.351-13-2 dated the 25th January 1919, calling for further report re. the theft of jewels belonging to Sri Rameswara Devaru temple at Devavrinda in Mudgere Taluk, I have the honor to submit herewith correspondence ending with the Chikmagalur Sub Division Officer's yadi No.S.D.C.627 of 1918-19 dated the 2nd instant in the matter and to state as follows;-

2. An up-to-date list of jewels and other articles in the temple had not been maintained and hence it is not possible to give a correct list of the articles stolen from the temple on the night of the 30th October 1918. The permanent pujari Krishnabhatta appears to have left the place to his home in the South Canara District about nine years back placing the present incumbent Ramabhatta in charge of his duties in the temple and Ramabhatta furnishes a list (copy enclosed) of the articles stolen and these are valued at Rs.400/- . How far the list and the value can be relied upon cannot be vouchsafed . The Amildar suspects the pujari Ramabhatta as the culprit as he learns on enquiry that his character is not good. But why such a man was continued in service for a long period of nine years when his appointment itself had not received the sanction of the authorities, is not quite apparent. It appears clear from the record, that the police failed to search the house of the pujari soon after the occurrence of the theft. On the whole, I am inclined to conclude that the case was not properly handled by the local authorities. In the best

beginning . Ramabhatta will be removed from pujari ship immediately and as per instructions contained in Government Orders printed on pages 119 to 121 of the Muzrai Manual action will be taken to recover the amount from him, as he had admitted that he was in/ sole charge of the articles. The temple is reported to possess costly jewels and it is inadvisable to leave them in a remote place unguarded. Orders will be issued to secure them in the Taluk Treasury.

I have the honor to be,

Sir,

Your most obedient servant,

M Seetha Ramiah

Treasury Assistant

In-Offg. Deputy Commissioner,

Mdg. Kadur District.

(Taken & sent Stamps)

Proceedings of the Government of H. H. the Maharaja of Mysore.

Read:-

Correspondence ending with letter No.C.C.1189 of 1918-19 dated the 19th -- February 1920, from the Deputy Commissioner, Kadur District, reporting on the theft of jewels belonging to Sri Rameswara Devaru temple at Devavrinda in the Mudgere -- Taluk.

*** *** ***

Order No. 3174-5 Exe one file
Judicial 351-18-4
Dated Bangalore, the 9th 25th March 1920.

On 16th December 1918, the Deputy Commissioner reported the theft of jewels and -- valuables to the extent of about Rs.1,500 belonging to the temple ~~were stolen~~ on the night of 30th October 1918. A further report on the result of the investigation of the case was called for.

2. The Deputy Commissioner now reports that, as an up to date list of jewe and other articles in the temple had not been maintained, it is not possible to -- give a correct list of the articles stolen from the temple on the night in question, that the permanent pujari left the place about nine years ago placing the present incumbant Ramabhatta in charge of his --- duties, and that this Ramabhatta has furnished a list of articles stolen, valued at Rs.400/-. The Deputy Commissioner adds that the correctness of the list furnished

by Ramabhatta cannot be vouch-safed, and that this person himself is suspected as the culprit.

3. The Deputy Commissioner states that Ramabhatta will be removed from the Pujariship and action will be taken to recover from him the value of the properties which were lost while he was in sole possession of them. He also proposes to -- keep the remaining jewels, which are cost in the Taluk Treasury.

4. The action proposed to be taken by the Deputy Commissioner is approved - and he is requested to report ~~the result~~ twice as soon as the value of the lost articles is recovered ~~[illegible]~~ from the Pujari.

5. The Deputy Commissioner's report shows that the case has not been properly investigated by the Local Police authorities and this is much to be ~~xxxxxx~~ regretted.

[signature] 15/3/2[?]

Secretary to Government,

Muzrai Department.

[initials] 15/3/20 [initials] 13/3

To

The Deputy Commissioner, Kadur District returning records.

" Comptroller to Government.

VS.

S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to .. 18

GENERAL AND REVENUE SECRETARIAT

( )

, *the* 191 .

Date of issue 19 5 20

Signed by [illegible]

Section

File No.

Serial No.

No. 661./Political & Jewels.

To

By Rail -2,

Karaikudi

Sir,

I am directed to refer to your letter No. 8-5-20 dated 19-5-20 applying for the sanction for the payment of Rs. 1000 in the matter of the recovery of the value of gold jewels stolen from Sri Kamakshi Devasthanam Temple at Devakottai, Ramnad District, and have to forward herewith

petition regd. no 18 from K
Brahma of the said temple
complaining of the attachment
of his private properties
in pursuance of the
temple dues, and to request
that you will be so kinds
to report ~~under what~~ whether the allegation
provision of law, ~~the effect~~ of the petr. reg
attachment of the private
properties which appear to be
opposed to the instructions
contained in Chief Comrs
Proc no. 682-66 dd 28th
may 1895 printed at
page 121, Duty Manual
I have &c.

the att
imposed ~~the pet~~
Ct Court of Co
under what pr
of law. it was
as such a proceed
appears the

List of enclosures.

14/8/20
Secy, Mad Dist Bd

14/8/20 14/8

Copied by

Examined by

W D86—GPB—60,000—15 11 16

G.R.S. 26]

File No

Serial No.

Diary No. of letter replied to _____

No.

General and Revenue Secretariat

( )

, *the* 19

To

The Dy. Commr.

Kadur Distt.

Sir,

Adverting to this office letter no. 661/Miz. 351-18 dt. 17th August 1920 calling for report with records on the appeal petition of Archak Rama Bhatta complaining of the attachment of his private properties in recompense of the value of certain jewels stolen from the Rameshwara Devasthana temple at Devaravindu in Tarikere Taluk, I am directed to forward herewith petition dated 6.3.1920 from the said individual on the subject,

over.

I beg to request that you will be so good as to instruct the Head Accountant concerned.

I am also to request that (illegible) further orders of Government on receipt of the records called for

SUBJECT.

will be so far as to stay sale
of the private properties
of the appellant ~~pending the~~ which the
~~final order of Court on the~~ appeal has been
~~application~~. I am also to add that
~~to~~ the 20th
the records connected with the
case together with your
report thereon, may kindly
be submitted so as to reach
this office not later than
the 3rd inst.

Yours etc

W Wallis

Dep. Secretary.

Rec'd 20/9/09

List of enclosures.

Copied by

Examined by

GPB—6,000—1.5.09

G.R.S. 26]

File No 351-18
Serial No. 9

Diary No. of letter replied to

No

General and Revenue Secretariat
( )
, *the* 19

To

Date of issue 21 9 20

Signed by

Insr Arts, [illegible]

Insr granted to Archaka Rama Bhatta thro Mr P. Shankara Rao, Advocate, with reference to his petitions regd nos. 18 and 635 complaining of the attachment of his properties in recompense for the value of certain jewels stolen from Sri Rameswara Devasam Temple at Devipatna, Madras and

The petr is informed that a report has called for from the Commissioner, Hindu Religious

that the Govt have been pleased to direct that the petitions

over.

SUBJECT.

further orders of Govt in the matter

except the record which

have been called for, after the date of his private

petitions may be disposed of by the

Board of Revenue

to Stay Sale pending final
ns of Injunction on the
tioners application
B---o

Des Huy Seen Sang
Rb
2019(2)

List of enclosures,

Copied by

Examined by

GPB—6,000—1.5.09

W.D. 0244—GPB—6,00,000—19 5 16—S.

994

20-21
Mer
351-18
10

23338 1920

From The Deputy Commissioner
Kadur Dt

To The Secretary to the Government of Mysore & ex-officio Member
Bangalore.

Dated 30th October.

Despatched 3rd November 1920

Received

General No. OC 1189
No. 18-19

Enclosure No. one Memorial & appeal petition with 6 enclosures

Submits a report with records
the appeal petition of Sheik
Fareedulla against the order of the
Attachment of his immovable pro-
perties in recovery of
value of certain jewels stolen
from Sir Kameshwara Rao in Dar
es Salaam &c

W.D. C244—GPB—6,00,000 -19 7-16—S.

1920.

From

K. Mylaran Rao Esq
B.A
offg. Deputy
Collr

To

J. E. Janjarama Iyer Esq
B.A
Secretary to the Govt
of Madras, Revenue Dept

Dated 30th }
Despatched 3rd } October 1920.
Received November 1920.

General No. O.C. 1189
No. 8-9

Enclosure No. one on file and appeal petition with its enclosures

Sir,

With reference to your letter No. 661-Rev-Rev. 351-18-6 of the 19th August 1920, forwarding for report the appeal petition of Archak Rama Bhatta of the Sri Ramadevaru Temple at Devarvinda in the Mudgere Taluk, complaining that his private properties have been attached to recoup the temple dues, I have the honor to submit herewith

the ile y rec. s rece
the Trikinagalur Sub Division
officer's letter No. S.O.C. 1627 of
1918-19 dated the 14th October
1920 and to state that the cir-
cumstances of the case under
which the appellant was made
liable to recoup the loss
of the temple jewels were reported
to Government in this office
letter No. D.C. 187 of 1918-19
dated 4/9th January 1920 and
the proceedings made therein
were approved in Govern
ment order No. 317 - 5 Revenue
35 - 2 - 1 of the 25th March 1920.
It will be giving effect to
the above order, the procedure
prescribed in the late Chief
Commissioner's proceedings
No. 632-36 dated 28th May 1879

Print.
Page 121
The Rules

was lost sight of and
prescribed for the recovery
of Government money was taken.
The securities attached to
that bill sold, in case of
default. The duty of the
officer selects definite
instructions as to what
may be considered
grounds of default in
the attachment. The
procedure being different
orders will be issued, in each
case, to keep the records, to prove the
attachment.

3. The amount in dispute
considered that the cost
in any action being
belonging to each
party in accordance with the

recovery of the amount otherwise. The proposal made from this office to recover the value of the lost [illegible] from the [illegible] having been approved by Government [illegible] no action will [illegible] [illegible] recovery [illegible] the [illegible] the result [illegible] known.

The appeal petition and [illegible] with [illegible] [illegible] [illegible] returned.

[illegible] the [illegible] to be

[illegible] obedient servant

K. Mylar Rao.
[illegible] Commissioner

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to 996

Section

File No. 351 - 1918

Serial No 11

General and Revenue Secretariat

( )

, *the* *191* .

No 1015 Rev. Rec. (Ad)

Date of issue

Signed by

To

The Dy. Com.r, Kadur Dist.

Sir,

Adverting to the correspondence ending with your letter No. O.C. 1189 Dy 3-11-1920 reporting on the appeal petition of Brahmin Rama Bhatta complaining of the attachment of his private properties in recovery of the Cash Forest & Sales Tax

over.

at Devaramida Devaramida
in the Mudgere Taluk, I am
directed to observe that it has
long been recognized that the
liability of temple officials
to make good the loss of
temple property is one of the
well recognized conditions
of temple service. I am
accordingly to request that
all the temple servants
should be called upon to make
good the value of the stolen jewels
according to
the extent of their liability
unless the services of those
who decline to pay should be
dispensed with. At the same
time, the attachment of the
applt's properties which is
opposed to the evidence
given by the chief Amin in
Revision Petn No 22 of 1916
should be raised.

(2) The other two points

List of enclosures.

Copied by

Examined by

(Page 121 of Z
Mug. Nature

Pell

G. R. S. G 33]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form)

be reported for the information
of Govt.
(3) the reasons are
returned for.

U.S.W

16-8-22

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to——————

General and Revenue Secretariat

( )

, *the* *191* .

Date of issue——————

Signed by——————

Section

File No. 357-18

Serial No 17

No. 1161-I

To

Endorsement granted
to Prahlad Rama Bhatia
thro. Mr B. Shankara Rao,
Adv., with ref. to his petition
nos. 18 and 635 complaining
of the attachment of his
properties in execution
of the Valuation of the
Jewels &c. [illegible]
Sri Ram [illegible]

The pets is informed that
orders have been issued
directing that the value of
the stolen jewels of the temple
should be removed from
all the temple servants
according to the extent of
their liability, and that
[illegible]

17/8/22

21-8-22

84
17-8-22

List of enclosures.

Copied by

Examined by

G.R.S. 57.]

File No.

Serial Nos.

190 .

GENERAL AND REVENUE SECRETARIAT.

( )

Part A: Manuscript
for

Serial Nos.

GPB—5,000—20-3-06.